

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

JENNIFER MILLER,

Plaintiff,

v.

MICHAEL J. ANDERSON, *et al.*,

Defendants,

and

FIRSTENERGY CORP.,

Nominal Defendant.

Judge John R. Adams

Case No. 5:20-cv-01743-JRA

STATUS REPORT OF DEFENDANT CHARLES E. JONES

Pursuant to the Court's Case Management Plan (ECF 160), Counsel for Mr. Jones provides the following status report covering the period of May 8, 2023, through June 22, 2023:

Settlement proceedings. As previously reported, the parties reached an agreement to settle and release all of the claims asserted in this action, which claims were simultaneously pending in the United States District Court for the Southern District of Ohio, the Summit County Court of Common Pleas, and this Court. Judge Marbley granted final approval of the settlement and entered final judgment on August 23, 2022. (S.D. Ohio, Case No. 2:20-cv-04813, ECF 195, 196.) Mr. Augenbaum, whose objection to the settlement was overruled by Judge Marbley, filed a motion for reconsideration on September 20, 2022. (*Id.*, ECF 197.) Judge Marbley denied Mr. Augenbaum's motion for reconsideration on May 22, 2023. (*Id.*, ECF 205.) Mr. Augenbaum filed a notice of appeal to the U.S. Court of Appeals for the Sixth Circuit on June 15, 2023. (*Id.*, ECF 206.)

Discovery. Mr. Jones has not produced additional documents or issued new discovery

requests in the period covered by this status report.

Motions. On August 24, 2022, all parties jointly filed a motion to dismiss this action with prejudice in light of the final approval of the settlement and entry of final judgment by Judge Marbley as to the claims asserted in this action. (ECF 353.) On August 25, 2022, Mr. Augenbaum filed a motion to intervene. (ECF 354.) On September 9, 2022, all parties opposed Mr. Augenbaum's motion to intervene. (ECF 359, 360, 361.) After receiving an extension, Mr. Augenbaum's reply in support of his motion to intervene was filed on September 22, 2022. (ECF 364.) In addition, all parties objected to the Court's stated intention to appoint lead plaintiffs' counsel on August 26, 2022. (ECF 355, 356, 357.) Mr. Augenbaum responded to the parties' objections on September 2, 2022. (ECF 358.)

Date: June 22, 2023

Respectfully submitted,

/s/ Douglas L. Shively

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically on June 22, 2023. Notice of this filing will be sent to all electronically registered parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Douglas L. Shively

Counsel for Defendant Charles E. Jones